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Ontario

Ministry of
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Travel is an important part of life for Ontario residents. Whether for business or pleasure, millions of dollars are spent by Ontario consumers for transportation and accommodation each year. Whether they travel alone or in groups almost all of them rely, at one time or another, on the services of a travel agent or travel wholesaler.

To protect the money you invest in travel and to ensure travel agents and wholesalers deliver the services they promise, the Ontario government passed The Travel Industry Act in 1974.

This brochure has been prepared to let you, the travelling consumer, know how The Travel Industry Act assists you. It also provides suggestions for making your trip a happy and successful one.

What The Travel Industry Act does

The interests of consumers purchasing travel services in Ontario are protected through a five-point program that:

- requires registration and supervision of travel agents and wholesalers;
- makes the travel agent or wholesaler responsible for money paid by the consumer;
- provides compensation for the consumer who has paid for travel services and not received the services contracted for;
- makes all travel agents and travel wholesalers responsible for the truth of their advertising; and
- requires all travel agencies be supervised by people with travel expertise and experience.

Do all travel agents and wholesalers have to register with the government?

Yes. Under the terms of the Act, all travel agents and travel wholesalers must register with the Ontario Ministry of Consumer and Commercial Relations. If they don't, action can be taken against them. You can easily tell whether an agent is registered because the registration certificate must be prominently displayed in the agent's business office. If you don't see it, ask to see it.

Branch offices must be registered separately and an agent can only do business from that location using the name designated on the registration certificate.

The agent must operate from a business office open to the public during normal business hours — not from a home or residence.

If you want the most current registration information contact:

Central Registration
Ontario Ministry of Consumer and
Commercial Relations
555 Yonge St.
Toronto, Ont. M7A 2H6
(416) 963-0446

How is the consumer protected if the agent is registered?

As part of the registration process an agent must post a bond and participate in and contribute to a compensation fund. This fund provides money to reimburse you for travel services paid for but never received. If your travel agent provides compensation he or she is entitled to make a claim against the fund.

If you apply directly to the fund for compensation your cancelled cheque, credit card or cash receipt is needed to prove you paid. The cheque or credit card receipt should be made out to the registered travel agency, not to the individual who sold you the service. Payments made to individuals are not covered by the fund.

Why is it important to check whether an agent or wholesaler is registered?

The fund is only available to travellers who dealt with a travel agent or wholesaler registered with the Ontario Ministry of Consumer and Commercial Relations. If you deal with an unregistered agent, you cannot make a claim against the fund if the services you paid for are not provided.

Travel agents operating outside Ontario cannot register with the ministry. Therefore, your money is not protected if you deal with an agent outside the province.

Are there any occasions when a consumer cannot claim against the fund?

Yes. If the travel agent advises you before you make a deposit that it is a non-refundable deposit or there are service charges, you cannot make a claim against the fund.

How does a consumer make a claim against the fund?

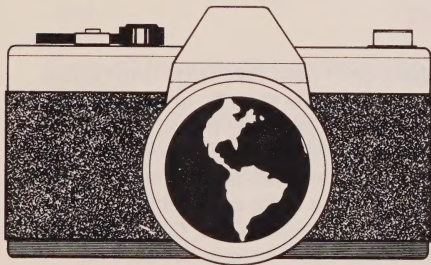
To make a claim, write (giving full details and providing supporting documents) to:

The Registrar: Travel Industry Act
Ontario Ministry of Consumer and
Commercial Relations
555 Yonge St.
Toronto, Ont. M7A 2H6
(416) 963-0418

You must also show you requested a refund and it was denied or that the registered agent was unable to pay.

There are other ways the Act helps too

The registration process also ensures undesirable travel agencies are kept out of Ontario. The registrar appointed under the Act can refuse to register an applicant, can investigate consumer complaints and, where necessary, propose the suspension or cancellation of an agent's registration. The Act also forbids false advertising and requires the agents to maintain records and allow these records to be inspected by ministry staff.



Tips for travelling

While The Travel Industry Act protects the money you paid to an agent, any experienced traveller knows there are still a number of things you should do yourself to avoid problems during your travels. First of all, always talk to the travel agent about the agency's refund policy should a problem arise.

Also, beware of hidden costs. Travel surcharges for higher fuel costs and currency fluctuations are now a fact of life for travellers. To reduce the shock of surcharges and to allow for increases in hotel and food costs around the world, budget for at least 20 per cent more than you estimated when you first planned the trip.

Choosing a travel agent

The key to a successful trip is dealing with an experienced and reliable travel agent. Before deciding which agency to go to, talk to your friends and relatives. They can tell you what kind of service their agent gave them in the past.

Most agents belong to one of three industry associations in Ontario: Ontario Travel Industry Conference (OTIC); Canadian Institute of Travel Counsellors (CITC) and the Alliance of Canadian Travel Associations (ACTA Canada). OTIC members automatically gain membership in ACTA Canada.

Before choosing a travel agent, make sure he or she is registered with the travel industry branch of the Ontario Ministry of Consumer and Commercial Relations. If the agent is not registered, he or she is operating illegally and any money you pay is not protected. Report an unregistered agent or agency to your nearest Consumer Services Bureau.

Let your travel agent know what you want

Your travel agent can't help you if you don't know exactly what you want. Be specific about the kind of vacation you expect. If you weren't happy with the travel arrangements, tell the agent when you get back. Perhaps there was a misunderstanding or the agent may not be aware there are problems with a particular hotel, condominium, etc. Compliments and complaints allow the agent to improve service.

Making travel arrangements

When you have decided where, when and how you want to go — and the agent has confirmed your travel arrangements — you will probably be asked to pay a deposit. Make sure you get a receipt. When you make the deposit, find out whether it is refundable either in whole or part. This can eliminate problems if the need for a refund develops.

When you make a booking, ask about:

- the terms and conditions of cancellation charges;
- the schedule of payments you have to make;
- communication expenses (telexes, long-distance phone calls to make travel arrangements); and
- baggage, personal accident and cancellation insurance.

Read your insurance policy carefully

If you buy insurance, read the terms carefully so you know exactly what it covers and under what conditions it is effective. This is especially true if you buy cancellation insurance. Cancellation insurance may reimburse you fully or partially if you have to cancel your travel plans because of illness.

Some policies say you cannot get a refund if you were sick before the insurance was purchased. If, for example, you are under treatment for heart problems and have to cancel your trip because of complications, any cancellation insurance you have may be void.

If you do have problems with an insurance claim contact:

The Superintendent of Insurance
Ontario Ministry of Consumer and
Commercial Relations
555 Yonge St.
Toronto, Ont. M7A 2H6
(416) 963-0471

Getting ready to leave

Here are a few things you should check before you go:

- Do you have all your official documents? What papers does the country you are visiting require? These could include such papers as passport, visa, immunization documents, health certificates, driver's licence, etc.
- Are your tickets, bookings and itinerary in order? If there are any problems, let your travel agent know immediately. These things aren't easy to straighten out once you're half way across the world.

- Do you have to confirm your return travel arrangements or are they pre-booked?
- Are you going to bring back anything? If so, contact Canada Customs to see what the regulations are.
- Do you have enough money? The safest way to carry money is in traveller's cheques. It's also a good idea to have some cash in the currency of the country you are visiting and to have a small amount of Canadian money to use when you get back.
- Is your luggage clearly marked? Some experienced travellers use colored tape to make their baggage stand out. More and more countries are requiring all baggage carry a label showing your name and home address. Ask your travel agent. Make sure the luggage is securely locked before parting with it. Valuable documents and possessions such as jewelry, money and travel documents should be in your hand baggage.
- Secure your home. Stop delivery of newspapers and inform the police and neighbors of your absence. If you are going to be away for a long time, have someone clear your mail box and, where necessary, cut the grass or shovel the driveway.
- If you are under medication, carry a spare prescription; if you wear glasses, take along an extra pair; if you use contact lenses, take along extras as well as a pair of glasses...there's no point travelling anywhere if you can't see what it is like when you get there.

Coping with emergencies

Problems are bound to crop up despite all the planning in the world. You should have some idea of what to do when the unthinkable happens.

- If you find yourself in the middle of a major catastrophe such as a revolution, war, earthquake or flood go to the nearest Canadian embassy or consulate. If there isn't one in the country you are visiting, go to the British consulate.

- If you are stranded because your return travel arrangements have fallen through or your return ticket is invalidated because the carrier went out of business, try to make alternative arrangements yourself. If this fails, contact the local Canadian embassy or consulate. When you get home contact the travel industry branch of the Ontario Ministry of Consumer and Commercial Relations.
- If you have minor transportation problems or lose your tickets, contact the local office of the carrier (airline, railway, steamship or bus line) concerned. They should be able to help you on the spot.
- If you lose your traveller's cheques, report the loss to an office of the issuer of the cheques. Usually your money will be refunded in short order.

The key to coping with emergencies is to keep a cool head. It is unlikely that a travel agent 4,000 miles away will be able to straighten out a problem, so try to deal with it yourself. If there are language problems, proceed slowly and keep your temper.

By combining the protection of The Travel Industry Act with some common-sense precautions Ontario travellers have a good start for a happy, enjoyable and carefree holiday. Bon voyage!



Consumer Services Bureaus:

250 Windsor Avenue, 6th Floor
Windsor, Ont. N9A 6V9
(519) 254-6413

143 Main Street East, Room 206
Hamilton, Ont. L8N 1G4
(416) 529-8177

139 George Street North
Peterborough, Ont. K9J 3G6
(705) 743-8728

199 Larch St., 5th Floor
Sudbury, Ont. P3E 5P9
(705) 675-4378

P.O. Box 5000
Thunder Bay, Ont. P7C 5G6
(807) 475-1641

Box 5600, Terminal 'A'
London, Ont. N6A 2P3
(519) 679-7150

555 Yonge Street
Toronto, Ont. M7A 2H6
(416) 963-0321

1673 Carling Avenue, Suite 102
Ottawa, Ont. K2A 1C4
(613) 725-3679

Be an informed Consumer

The Ontario consumer ministry has published a number of other booklets covering a range of consumer topics, such as:

- ☐ Refunds and exchanges
- ☐ The facts about credit and you
- ☐ Mail order buying
- ☐ The nuts and bolts of car repair
- ☐ Hints for homeowners; insulation; paving; siding
- ☐ Insurance guide
- ☐ Consumer tips for senior citizens
- ☐ The Consumer Protection Act
- ☐ The Business Practices Act

Copies of these publications may be picked up in person at the Consumer Information Centre, 555 Yonge St., Toronto (telephone collect at 416-963-1111), or from consumer services bureaus in Hamilton, London, Ottawa, Peterborough, Sudbury, Thunder Bay and Windsor.

For direct mail requests, please check the above publications of interest, complete the following form, and mail to:

Consumer Information Centre
Ontario Ministry of Consumer and
Commercial Relations
555 Yonge St.
Toronto, Ont. M7A 2H6

Name: _____

Address: _____
(street & no.) (apt.)

(city) (prov.) (postal code)

We'd like to hear from you.

The consumer ministry welcomes any comments and suggestions on its information materials, programs and customer services. In this way we can best respond to your needs in the marketplace.



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